

INLAND WETLANDS AND WATERCOURSES COMMISSION
MINUTES
January 2, 2007

THE INLAND WETLANDS AND WATERCOURSES COMMISSION of the Town of Trumbull held a Regular Meeting on Tuesday, January 2, 2007 in the Courtroom of the Trumbull Town Hall.

The following is a brief summary of the meeting. A recording was made on tape and is on file in the office of the Town Engineer, Town Hall, Trumbull, CT.

MEMBERS PRESENT: Richard Girouard, Chairman
John Doris, Vice Chairman
Thomas O'Neill, Secretary
Arlyne Fox
David Lucas
Andrew Lubin

ALSO PRESENT: Brian Smith Assistant Town Engineer, Town of Trumbull
Neil Lieberthal, Town of Trumbull Attorney

The Chair convened the regular meeting at 7:33 p.m.

(No Public Hearing)

Approval of Minutes:

Upon motion made, (O'Neill) seconded (Doris), and carried by a vote of 6 in favor (unanimous) it was voted to accept the December 05, 2006 meeting minutes as submitted.

New Business

Application #07-01: Jim Taylor/Plumbuilders

Replace existing deck, removal of 8 trees at grass line, roof drains piped to drain, curtain drain installed, re-grading of back yard to curtain drain, 27 Wareham Place.

Mr. Jim Taylor representing Todd and Leann Schlatter of 27 Wareham Place was present. Mr. Taylor indicated there has been a water issue with the Schlatter's home since the Schlatters had moved in 8 years ago. The home has a walk out basement, the grade is level or below the wetlands, allowing water to come to the basement door. The Schlatters have been able to get by until the October 2006 heavy rains. Mr. Taylor submitted photographs for the record, which represent the October 2006 flooding, (some of the areas were flooded 4' (feet) deep). Since that time the town Engineering Department had come out to inspect the drainpipe, (the drainpipe runs from a ditch under the Schlatter's driveway to the storm sewers at the stream). The town had cleared a basketball from the drainpipe. This did help some of the water find its way out yet the water still occurs. The town has inspected the pipe with a camera and the pipe is still clogged, the town will be scheduling a cleaning of the pipe in the future. The drain is above the water level that comes in from the wetland, there is constant standing water in the ditch. A building

permit had been granted to tear the existing deck down and build a new one, (the deck is in need of repair). This will allow access to the patio door, remove the patio door, fill it with concrete, waterproof it and backfill against the door. This work has been done to date. 3 sets of photographs were submitted for the record. The water issue dates back to the time the home was built. Mr. Smith indicated the wetlands are in the back of the house; the grass swail had been created in the 1970's when the home was built. Mr. Taylor indicated the proposed trees to be cut down are between the grass and the wood lined area. The first goal of the application is to re-grade the low spot in the backyard by bringing fill in, (preventing the water from encroaching into the grass area), and also a curtain drain along the grass line. The curtain drain would allow the water to drain to the ditch in a more expedient manner during heavy rain periods. Photographs of a natural rock barrier were submitted for the record. Mr. Smith indicated the wetlands are approximately 50 (feet) behind the house. The swail, which is the width of the lot, flows to the east to the storm drainage pipe. Mr. Taylor indicated if the walk out basement door had not been in the original plan for the home this would not be an issue now. Mr. Smith indicated the basement door has been removed and replaced with block. Mr. Taylor stated the plan is not to extend the backyard only to raise it in elevation. Mr. Taylor indicated the proposed trees to be cut down are marked. Mr. Taylor had respectfully requested a decision at this meeting to allow work to be done before the spring. Upon motion made (O'Neill) seconded (Doris), and carried by a vote of 6 in favor (unanimous) it was voted to **RECEIVE** Application #07-01.

Application #07-02: Patricia & Richard McCarthy

Remove 20 trees; build beach area, retaining walls and terrace, 20 Cove Point.

Ms. Patricia McCarthy of 20 Cove Point indicated the property is on Pinewood Lake. An arborist had recommended removal of the old pines, (many of the trees had fallen during the last storm). Photographs of the trees were submitted for the record. Ms. McCarthy indicated the beach area already exists, the application would include replanting of trees. Ms. McCarthy stated she had 4 arborists come to her property for recommendations, there will be no fill brought in. There is not an erosion problem where the proposed activity will take place, there is a small area of erosion on the other side off the property. Upon motion made (O'Neill) seconded (Doris), and carried by a vote of 6 in favor (unanimous) it was voted to **RECEIVE** Application #07-02.

Application #07-03: Dariusz Kwiatkowski

Replace one car garage with a two-car garage with rooms above, 60 Pembertron Drive.

Mr. Dariusz Kwiatkowski was present. Mr. Kwiatkowski indicated he was seeking permit to remove the existing garage and expand to a 2-car garage and rooms above the 2-car garage. Mr. Smith reviewed the radius map with the commissioners indicating there is a brook along the property line and curves into lot #6. There was a watercourse in 1964 that has been re-piped to an open ditch to the corner of the applicant's house approximately 70' (feet) to the brook from the existing garage. Upon motion made (O'Neill) seconded (Doris), and carried by a vote of 6 in favor (unanimous) it was voted to **RECEIVE** Application #07-03.

Application #06-59:

ABM Brothers LLC/Attilio Marini

Modification of application 06-59 to allow construction of addition over existing patio also planting of a vegetation buffer between & around existing patio within the regulated upland setback- no cut or fill is proposed within this area, 6540 Main Street.

Attorney Ehram representing the applicants was present. Also present applicant Attilio Marini and Wayne Jacobson of Spath Bjorklund Associates. Atty. Ehram indicated the applicant is requesting a modification of Application #06-59 to allow the enclosure of the existing patio, this will alleviate noise complaints by the surrounding neighbors.

Mr. Wayne Jacobson of Spath Bjorklund distributed a reduced copy of the building plan to the commissioners. Mr. Jacobson reviewed the building plan with the commissioners, the addition is on the right-hand side of the building, enclosing the patio and the rounded area surrounding the existing fountain. The limit of the building matches the limit of the existing patio. The distance from the existing patio to the edge of the brook is 30' (feet). Excavation will be approximately 50 cubic yards for the footings. There will be ground cover planted to the east and south side and a screen would be created between the proposed addition and the cold storage building recently approved by the commission. They are expecting to lose all the existing plantings around the building during the excavation all new plantings are proposed, (arborvitae and ground covers). The existing trees in the watercourse will be left in place and ground cover added creating a garden room impact from the interior looking outside. The patio size is currently 63' from the face of the building to the eastern end of the patio. Atty. Ehram stated the patio is larger than what had been anticipated, no one knows what the size of the approved patio was, there were no dimensions. The patio was 40 plus the distance between the building and the patio, and that distance is an unknown. The patio was built to the edge of the building, the fountain was built at the time of the patio construction. Atty. Ehram acknowledged the fountain was built without a permit and indicated this had been acknowledged previous to this meeting. Mr. Smith indicated there was one original patio application, Application #98-19.

Mr. Marini indicated the application of a year ago was denied due to the fact the bridge was incorrectly placed on the site. The patio was 60'x40' with the tent. Mr. Smith stated the patio size in application #98-19 was 22' x 51' with plants and was 25' to the watercourse using 40 scale. There was no fountain shown in the plan. The new patio is 42' wide x 64' long. Mr. Marini indicated the new addition is 30' from the brook, (further away from the brook), the new structure size is 45' x 64'. Mr. Marini stated the new plan controls the flow of the people. The seating capacity decreases by 20-24 chairs with the inclusion of the existing fountain. Mr. Marini indicated they are trying to enhance Trumbull, lower the noise level by enclosing the patio. The fountain donates money annually to the Shriners.

Atty. Ehram acknowledged the patio exceeded what had been approved, the fountain did not impact the wetlands, and is presenting this application to the commission to rectify the mistakes made.

Upon motion made (O'Neill) seconded (Doris), and carried by a vote of 6 in favor (unanimous) it was voted to **RECEIVE** Application #06-59

Old Business:

Mr. Girouard distributed and reviewed a copy of a letter sent to Mr. Herbst of the Planning & Zoning Commission re: Approval of application #06-59 ABM Bros. LLC.

Work Session

Application #07-01: Jim Taylor/Plumbuilders

Replace existing deck, removal of 8 trees at grass line, roof drains piped to drain, curtain drain installed, re-grading of back yard to curtain drain, 27 Wareham Place.

Field Inspection

Application #07-02: Patricia & Richard McCarthy

Remove 20 trees; build beach area, retaining walls and terrace, 20 Cove Point.

Field Inspection

Application #07-03: Dariusz Kwiatkowski

Replace one car garage with a two-car garage with rooms above, 60 Pembertron Drive. Upon motion made, (Lubin), seconded (O'Neill), and carried by a vote of 6 in favor (unanimous) it was voted to **APPROVE** Application #07-03 as submitted.

Application #06-59: ABM Brothers LLC/Attilio Marini

Modification of application 06-59 to allow construction of addition over existing patio also planting of a vegetation buffer between & around existing patio within the regulated upland setback- no cut or fill is proposed within this area, 6540 Main Street.

Upon motion made (Lubin) seconded (O'Neill) and carried by a vote of 5 in favor, and 1 against, (Fox), to **APPROVE Application #06-60** subject to the General Conditions as established by the Commission:

- An A-2 survey shall be conducted by the applicant to verify the building is within the size specified by the plan.
- The building shall not be any closer than 30'(feet) to the watercourse.
- The roof drains shall discharge into the existing storm water drains.
- The applicant shall notify the Inland Wetland & Watercourses Commission of the date/time of the footing installation so as the Inland Wetland & Watercourses Commission shall be able to make themselves available to verify the dimension of the approved plan.

Ms. Fox left the meeting at 9:22 p.m.

FIELD INSPECTION DATE:

The field inspection date is scheduled for Tuesday, January 16, 2007 to leave the Town Hall at 3:00 p.m. for the following application:

- **Application #07-01**
- **Application #07-02**

Election of Officers

Upon motion made (Girouard) seconded (O'Neill) and carried by a vote of 5 in favor, (unanimous), to place the Election of Officers on the agenda of this meeting.

Upon motion made (Girouard) seconded (Doris), and carried by a vote of 5 in favor, (unanimous) to elect Thomas O'Neill as Secretary of the Inland Wetland & Watercourses Commission.

Upon motion made (Girouard) seconded (O'Neill), and carried by a vote of 5 in favor, (unanimous), to elect John Doris as Vice Chairman of the Inland Wetland & Watercourses Commission.

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Upon motion made (O'Neill) seconded (Doris), and carried by a vote of 5 in favor, (unanimous), to elect Richard Girouard as Chairman of the Inland Wetland & Watercourses Commission.

Adjournment:

Upon motion made (O'Neill) seconded (Lubin), and carried by a vote of 5 in favor, (unanimous), it was voted to adjourn at 9:24 p.m.

Respectfully submitted,

Margaret D. Mastroni
Clerk